

REMARKS/ARGUMENTS

In the Claims:

Claims 43-48, 50-55 and 64-86 remain pending in the present application. Claims 1-42, 49, and 56-63 were previously canceled and claims 43 and 64-78 were previously withdrawn from consideration. Claim 87 has been canceled in the present response.

Allowable Subject Matter

The Examiner has indicated that claims 44-48, 50-55, 83 and 86 are allowed. Applicant appreciates the Examiner's allowance of said claims.

Nonstatutory Double Patenting Rejection of Claims 79-82, 84 and 85

The Examiner rejected claims 79-82, 84 and 85 under the judicially created doctrine of obviousness-type double patenting in light of the claims of U.S. Patent No. 6,287,345. As the conflicting patent and the present application are commonly owned, Applicant has submitted a terminal disclaimer herewith under 37 CFR § 1.321(c) to overcome the Examiner's nonstatutory double patenting rejection.

Rejection of Claim 87 Under 35 U.S.C. § 103(a)

The Examiner rejected claim 87 under 35 U.S.C. § 103(a) as being unpatentable over Plotnik (SU 305888). Claim 87 has been canceled, therefore, the Examiner's rejection thereof is now moot.

CONCLUSION


Claims 1-42, 49, and 56-63 have been previously canceled and claims 43 and 64-78 have been previously withdrawn. The Examiner has allowed claims 44-48, 50-55, 83 and 86. Applicant has canceled claim 87 in the present response, and has herewith submitted a terminal disclaimer under 37 CFR § 1.321(c) which obviates the Examiner's rejection of claims 79-82, 84 and 85.

Therefore, Applicant respectfully submits that all active claims of the present application are now in condition for allowance, and such action is earnestly requested. Telephone inquiry to the undersigned in order to clarify or otherwise expedite prosecution of the present application is respectfully encouraged.

Respectfully submitted,

Date: 05-17-05

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